

Appln. No. 10/622,938  
Amendment dated August 15, 2008  
Reply to Office Action mailed May 15, 2008

### **REMARKS**

Reconsideration is respectfully requested.

Claims 2 through 12 and 16 through 23 remain in this application. Claims 1 and 13 through 15 have been cancelled. No claims have been withdrawn or added.

#### **Paragraph 1 of the Office Action**

Claims 1 through 6 have been rejected under 35 U.S.C. §102(b) as being anticipated by Sutton, Jr.

Claims 19 through 23 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Sutton, Jr. in view of Cezeaux.

Claim 1 has been cancelled, and claims 2 through 6 are now dependent upon claim 19.

Claim 19, particularly as amended, requires "a transmitter assembly operationally coupled to said video tap assembly in a manner suitable to receive said secondary video signal from said video tap assembly, and said transmitter assembly being configured to propagate the secondary video signal as a propagated signal". Claim 22 includes a similar but not necessarily identical requirement.

It is alleged in the rejection of claim 1 (and claim 19) that:

Regarding claim 1, Sutton discloses in fig. 1 a remote video computer monitoring system for use with conventional computing systems, comprising a video tap assembly for tapping a video signal routed from a video output of a conventional computer to a monitor (See fig. 1, item 66), said video tap assembly splitting off a portion of the video signal while allowing a second portion of the video signal to pass through to the monitor (See fig. 1, splitter 28); a transmitter assembly operationally coupled to said video tap assembly, said transmitter assembly propagating said portion of the video signal as a propagated signal (See fig. 1, transmitter 61); and a monitoring

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assembly for receiving said propagated signal and presenting a visual representation of the video signal to a user (See fig. 1, monitor 20, 22, 24, and 26).

However, it is submitted that the Sutton patent does not disclose the requirements of claim 19 set forth in the rejection, especially the amended language of claim 19 that requires "a transmitter assembly operationally coupled to said video tap assembly in a manner suitable to receive said secondary video signal from said video tap assembly". It is submitted that rather than disclosing "a transmitter assembly operationally coupled to said video tap assembly... to receive said secondary video signal from said video tap assembly", the Sutton patent discusses a tap 66 that *receives* a signal from the transmitter 61, and therefore Sutton teaches the opposite relationship than what is claimed here. See, for example, the Sutton patent at col. 4, lines 28 through 34 (emphasis added):

Typically, before leaving the Video Head End 34 the output of the combiner 60 passes through a Transmitter 61. The Transmitter 61 is used to perform such amplification of the signals as may be required, and the Transmitter 61 also adapts the output signal to pass to a Head End IP Tap 66 over a line 63, which is typically either a coax cable or an optical fiber cable.

It is therefore submitted that the Sutton patent could not lead one of ordinary skill in the art to the claimed invention.

It is therefore submitted that the cited patents, and especially the allegedly obvious combination of Sutton, Jr. and Cezeaux set forth in the rejection of the Office Action, would not lead one skilled in the art to the applicant's invention as required by claims 19 and 22. Further, claims 20 and 21, which depend from claim 19 and claim 23, which depends from claim 22 also include the requirements discussed above and therefore are also submitted to be in condition for allowance.

Withdrawal of the §103(a) rejection of claims 19 through 23 is therefore respectfully requested.

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**Paragraph 5 of the Office Action**

Paragraph 5 of the Office Action states that claims 7 through 12 would be allowable if written into independent form with the limitations of the base claim and any intervening claims.

The above amendment incorporates the requirements of claim 1 into the recitation of claim 7, and therefore claim 7 is believed to be in condition for allowance. Claims 8 through 12, by virtue of their dependency from amended claim 7, are also submitted to be in condition for allowance.

**CONCLUSION**

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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